IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 7TH FEBRUARY 2007 / 18TH MAGHA 1928

Bail Appl..No. 669 of 2007()

CMP.402/2007 of J.M.F.C.,KARUNAGAPPALLY

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PETITIONER/ACCUSED

SURESH, S/O. SURENDRAN,
RESIDING AT VISHNU BHAVANAM, VADAKKUMBHAGAM DESOM,
THEKKUMBHAGAM VILLAGE, KARUNAGAPPALLY,
KOLLAM DISTRICT.

BY ADV. SRI.JOHNSON GOMEZ

RESPONDENTS:

THE STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, THROUGH
THE EXCISE INSPECTOR, KARUNAGAPPALLY EXCISE RANGE.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Bail Application NO. 669 of 2007

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DATED: 07-02-2007

O R D E R

Petitioner who is the accused in C.R. No. 8 of 2007n of Karunagappally Excise Range for offences punishable under Sections 55 (a) and 67 (B) of the Abkari Act for allegedly having been found in possession of 10.875 litres of IMFL in 29 bottles, for the purpose of sale, on 7-1-2006 and who was arrested on the same day, seeks his enlargement on bail.

2. The learned Public Prosecutor opposed the application submitting inter alia that the petitioner is an accused in another crime involving similar abkari offence.

2. I am not satisfied that both the grounds enumerated under Clause (b)(ii) of Sec. 41 A of th Abkari Act are present in this case so as to justify the release of the petitioner on bail.

This Application is, accordingly, dismissed.

V.RAMKUMAR,
JUDGE.

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